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2/28/04
Docket No. YOR920000199US3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

5 Patent Application

Applicant(s): Mukund Padmanabhan
Case: YOR920000199US3
Serial No.: 09/785,605
10 Filing Date: February 16, 2001
Group: 2655
Examiner: Daniel D. Abebe

I hereby certify that this paper is being deposited on this date with the U.S. Postal Service as first class mail addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature: *Tim Munn* Date: February 20, 2004

15 Title: Determination And Use Of Spectral Peak Information And Incremental Information In Pattern Recognition

RESPONSE TO RESTRICTION REQUIREMENT

RECEIVED

FEB 26 2004

Technology Center 2600

20 Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

25 Sir:

This is in response to the outstanding Office Action dated February 4, 2004 in the above-identified application. Claims 1-36 are currently pending in the application.

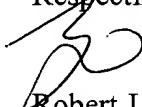
30 In the outstanding Office Action, the Examiner required restriction of the application to one of the following two groups of claims: Group I, including claims 1-31; and Group II, including claims 32-36.

35 Applicants respectfully assert that the restriction requirement is improper and should be withdrawn, since each Group is generally related to techniques for pattern recognition, and it is believed that a complete search for each Group would require a search of most, if not all, of the individual classes and subclasses. Accordingly, Applicants submit that an examination of both Groups would not impose a serious burden on the Examiner. Where, as here, "the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to independent or distinct inventions." MPEP §803.

Accordingly, it is respectfully requested that the restriction requirement be reconsidered and withdrawn and that all of the pending claims in the application be examined together in this application, or alternatively, Applicants hereby elect Group I, that is, claims 1-31, with traverse, for prosecution in this application.

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Respectfully submitted,



Date: February 20, 2004

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Signature: *Robert J. Mauri* Date: February 20, 2004

Title: Determination and Use of Spectral Peak Information and Incremental Information in Pattern Recognition

TRANSMITTAL LETTER

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Technology Center 2600

Sir:

Submitted herewith is a Response to Restriction Requirement relating to the above-identified patent application. There is no additional claim fee due in connection with the Response.

In the event of non-payment or improper payment of a required fee, the Commissioner is authorized to charge or to credit **IBM Corporation Deposit Account No. 50-0510** as required to correct the error. Duplicate copies of this letter are enclosed.

Respectfully submitted,

Dated: February 20, 2004

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